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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,771	12/19/2001	James R. H. Challenger	AUS920010794US1	1221

7590 03/28/2005

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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,771

Applicant(s)

CHALLENGER ET AL.

Examiner

Alina N Boutah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/19/01.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: the related applications information on page 1 of the specification needs to be updated by including the serial numbers and/or patent numbers. Appropriate correction is required.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 15 and 29 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 8 and 15, respectively,

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of copending Application No. 10/034,748. Although the conflicting claims are not identical, they are not patentably distinct from each other because the mentioned claims disclose every element taught in Application No. 10/034,748 but further include “in response to determining that the first linking element comprises an expansion attribute, generating a set of linking elements in accordance with at least one parameter associated with the expansion attribute.” At the time the invention was made, one of ordinary skill in the art would have been motivated to employ an expansion attribute in order to expand a link to multiple links.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 10-21, 24-35, 38-43 and 45-48 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,615,235 issued to Copeland et al. (hereinafter referred to as Copeland).

Regarding claim 1, Copeland teaches a method for processing objects within a data processing system in a network, the method comprising:

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receiving a message at a computing device, wherein the message comprises a set of message headers and a message body, wherein the message body contains a top-level fragment comprising a first linking element to a first next-level fragment (figure 11A; col. 11, lines 29-67); and

in response to determining that the first linking element comprises an expansion attribute, generating a set of linking elements in accordance with at least one parameter associated with the expansion attribute (col. 10, lines 43-63).

Regarding claim 2, Copeland teaches the method of claim 1 further comprising: replacing the first linking element to the first next-level fragment with the set of linking elements in the message body (col. 10, lines 43-63).

Regarding claim 3, Copeland teaches the method of claim 1 further comprising:
retrieving a first source identifier from the first linking element, wherein the first source identifier identifies a source location for obtaining the first next-level fragment;

retrieving an expansion parameter name associated with the expansion attribute (col. 10, lines 43-63);

retrieving an expansion parameter value associated with the expansion parameter name (col. 10, lines 43-63);

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forming a second source identifier for a second next-level fragment, wherein the second source identifier identifies a source location for obtaining the second next-level fragment, wherein the second source identifier comprises a portion of the first source identifier, the expansion parameter name, and the expansion value (figure 11A-B); and

inserting the second source identifier for the second next-level fragment in a second linking element in the set of linking elements (figure 11A; col. 19, lines 14-33).

Regarding claim 4, Copeland teaches the method of claim 3 wherein the expansion parameter name is a query parameter name and the expansion parameter value is a query parameter value (col. 18, line 54 to col. 19, line 6).

Regarding claim 5, Copeland teaches the method of claim 4 further comprising: submitting a query using the query parameter name and the query parameter value at an origin server; and generating the second next-level fragment using results from the query at the origin server (abstract; col. 18, line 54 to col. 19, line 6).

Regarding claim 6, Copeland teaches the method of claim 3 further comprising: retrieving a set of next-level fragments using the set of linking elements (figure 11A);

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combining the top-level fragment and the set of next-level fragments into an assembled fragment (figure 11B).

Regarding claim 7, Copeland teaches the method of claim 6 further comprising:

sending a request message for the second next-level fragment using the second source identifier for the second next-level fragment (col. 17, lines 1-12); and

receiving a response message comprising the second next-level fragment (col. 17, lines 1-12).

Regarding claim 10, Copeland teaches the method of claim 1 further comprising: storing the top-level fragment in a cache maintained by a cache management unit within the computing device, wherein the cache management unit operates equivalently in support of fragment caching operations without regard to whether the computing device acts as a client, a server, or a hub located throughout the network (abstract).

Regarding claim 11, Copeland teaches the method of claim 1 wherein a linking element comprises a source identifier, wherein the source identifier is formatted as a URI (Uniform Resource Identifier) (figure 12).

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Regarding claim 12, Copeland teaches the method of claim 1 wherein the linking element is defined using SGML (Standard Generalized Markup Language) (col. 1, line 66 to col. 2, line 2).

Regarding claim 13, Copeland teaches the method of claim 1 wherein the message is an HTTP (Hypertext Transport Protocol) Response message (col. 1, lines 63-66).

Claims 14, 28 and 42 are similar to claim 1, therefore are also rejected under the same rationale.

Claims 15-27 and 29-41 are similar to claims 1-13, therefore are rejected under the same rationale.

Regarding claim 43, Copeland teaches a data structure for use by a computing device in defining a content object, the data structure comprising:

a set of delimiters for a markup language element (figure 12);

a keyword for indicating that the markup language element is a linking element to a fragment (figure 10);

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a source identifier for the fragment, wherein the source identifier is used to obtain the fragment (figure 12); and

an expansion attribute comprising at least one parameter for expanding the linking element into a set of linking elements (col. 10, lines 43-63).

Claims 45-48 are similar to claims 10-13, therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 22, 23, 36, 37 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copeland in view of USPAPN 2002/0007393 submitted by Hamel.

Regarding claims 8, 9 and 44, Copeland fails to teach the method of claim 1 further comprising: retrieving a cookie name parameter associated with the expansion attribute; retrieving a cookie value associated with the cookie name; retrieving an expansion parameter name and an expansion parameter value from the cookie value and further parsing the cookie value as a string comprising a list of name-value pairs; and wherein the parameter is a cookie

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name identifying a cookie whose value is a list of name-value pairs that are used to form source identifiers for the set of linking elements.

Hamel discloses a method and apparatus and a computer program product as shown in Figs. 1-2 for processing objects within a data processing system in a network wherein it discloses storing a content object in a cache using a cache identifier (350) as shown in Fig.3 for the content object that is based on a URI (Uniform Resource Identifier) for the content object and a cookie value associated with the content object (# 605, Fig. 6A); (abstract) receiving a request containing the URI and an associated cookie having the cookie value (Fig 6A, #615, 620), retrieving the content object from the cache using the URI and the cookie value (Fig. 6A, #625); and returning a response containing the content object (# 630, Fig. 6A).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Copeland with the teaching of Hamel because cookies allow the generation of multiple links, therefore allowing quick access to the requested object.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANB

ANB

Will C. Vaughn Jr.
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.